UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:06-cv-00400-BR

SUELLEN E. BEAULIEU, et al, **Plaintiffs** **v.** **EQ INDUSTRIAL SERVICES, INC., et al,** **Defendants.**	**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION (DE 385)** **This Document Relates To:** **ALL CASES**

A hearing was held before the Court on 14 July 2009 to consider adopting Magistrate Judge Gate's Memorandum and Recommendation ("M&R") on the Parties' Joint Motion for Preliminary Approval of Class Settlement and for Certification of Settlement Classes and Related Matters (DE 373), and to address the three issues identified in the Court's 3 June 2009 Order (DE 391);

Counsel for the Parties were present and arguments and evidence were presented to the Court;

Considering the foregoing, it is hereby ordered that:

(1) The language referenced in Paragraph 1 of the 3 June 2009 Order and in the M&R at Page 60, excluding from the class "the Court and Court personnel and their immediate families", is hereby modified to exclude only "the presiding United States District Court Judge and the presiding United States Magistrate Judge";

(2) The Court hereby amends the Proposed Settlement Schedule and deadlines set forth therein, (M&R at 57 n.12, 63)as follows:

Number of Days after Date of This Order	**Event**
10 business days	Mailing of Notice (PSA §6.1.1)
15 calendar days	Publication of Notice (PSA §6.1.1)
45 calendar days	Deadline for Opt Outs and Objections (PSA §6.2.1)
48 calendar days	Deadline for filing Class Counsel's Motion for Fees and Costs
75 calendar days	Final Fairness Hearing
90 calendar days	Deadline for Submitting Proof of Claim Forms (PSA §6.1.3)
150 calendar days	Payment of Claims
165 calendar days	Deadline for Settlement Administrator's Final Report to the Court

(3) All documents referenced in Appendices "A" and "B" to the M&R at 65-66 shall be amended to reflect the changes set forth in Paragraphs 1 and 2 above;

(4) The Court hereby adopts the M & R (DE 385) subject to the above amendments;

(5) Pursuant to the above Settlement Schedule the Final Fairness Hearing is hereby set at 10 a.m. on the 5th day of October, 2009.

This ____ July 2009.

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W. Earl Britt
Senior U.S. District Judge